

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

ELWOOD PATERSON,

Plaintiff,

v.

9:06-CV-0211

GLENN S. GOORD, Commissioner, DOCS;
DR. LESTER N. WRIGHT, Deputy Commissioner;
JOHN W. BURGE, Superintendent, Auburn C.F.;
DR. PANG L. KOOI, Physician, Auburn C.F.;
VIRGINIA ANDROSKO, Nurse, Auburn C.F.;
NURSE MORGAN, Auburn C.F.;
NURSE JANE DOE, RN #246, Auburn C.F.,

Defendants.

APPEARANCES:

OF COUNSEL:

ELWOOD PATERSON, 349-07-05033
George Motchan Detention Center
09-09 Hazen Street
East Elmhurst, NY 11370
Plaintiff, *Pro Se*

HON. ANDREW M. CUOMO
Attorney General for the State of New York
The Capitol
Albany, NY 12224
Counsel for Defendants

MEGAN M. BROWN, ESQ.
Assistant Attorney General

NORMAN A. MORDUE, CHIEF JUDGE

ORDER

The above matter comes to me following a Report-Recommendation by Magistrate Judge George H. Lowe, duly filed on the 8th day of February 2008. Following ten days from the service thereof, the Clerk has sent me the file, including any and all objections filed by the parties herein.

After careful review of all of the papers herein, including the Magistrate Judge's Report-

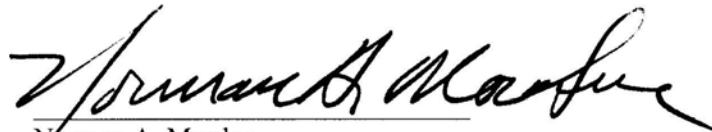
Recommendation, and no objections submitted thereto, it is

ORDERED, that:

1. The Report-Recommendation is hereby adopted in its entirety.
2. The defendants' motion to dismiss (Dkt. No. 25) is granted, and plaintiff's amended complaint (Dkt. No. 11) is dismissed with prejudice.
3. The Court certifies that any appeal of this Order would not be taken in good faith. See 28 U.S.C. § 1915(a)(3).
4. The Clerk of the Court shall serve a copy of this Order upon all parties and the Magistrate Judge assigned to this case.

IT IS SO ORDERED.

Dated: March 4, 2008
Syracuse, New York



Norman A. Mordue
Chief United States District Court Judge